

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
TUESDAY, JUNE 28, 2005 AT 10:00 A.M.
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

NOTE: The public portion of the meeting will begin at 10:00 a.m. The City Council may meet in Closed Session this morning from 9:00 a.m. – 10:00 a.m. Copies of the Closed Session agenda are available in the Office of the City Clerk.

OTHER LEGISLATIVE MEETINGS

A Special Meeting of the **SAN DIEGO REDEVELOPMENT AGENCY** is scheduled to meet today in the Council Chambers. A separate agenda is published for it, and is available in the Office of the City Clerk. For more information, please contact the Redevelopment Agency Secretary at (619) 533-5432.

The **SAN DIEGO HOUSING AUTHORITY** is scheduled to meet today in the Council Chambers. A separate agenda is published for it, and is available in the Office of the City Clerk. For more information, please contact the Housing Authority Secretary at (619) 578-7540.

ITEM-300: ROLL CALL.

NON-AGENDA PUBLIC COMMENT

This portion of the agenda provides an opportunity for members of the public to address the Council on items of interest within the jurisdiction of the Council. (Comments relating to items on today’s docket are to be taken at the time the item is heard.)

Time allotted to each speaker is determined by the Chair, however, comments are limited to no more than three (3) minutes **total per subject** regardless of the number of those wishing to speak. Submit requests to speak to the City Clerk **prior** to the start of the meeting. Pursuant to the Brown Act, no discussion or action, other than a referral, shall be taken by Council on any issue brought forth under “Non-Agenda Public Comment.”

COUNCIL, CITY ATTORNEY, CITY MANAGER COMMENT

REQUEST FOR CONTINUANCE

The Council will now consider requests to continue specific items.

=== LEGISLATIVE SCHEDULE ===

Noticed Hearings, Discussion

ITEM-330: Petco Headquarters.

Matter of approving, conditionally approving, modifying or denying an application for an Easement Vacation and Site Development Permit to abandon an existing easement and to construct a 394,670 square-foot four level parking garage and 189,700 square-foot office building for Petco Headquarters on an approximate 12.197 acre site located at 8925 Recho Road north of Carroll Road and east of Carroll Park Drive in the IL-2-1 Zone and the Airport Environs Overlay Zone within the Mira Mesa Community Plan Area. (Mira Mesa Community Plan Area. District 5.)
CITY MANAGER'S RECOMMENDATION: Adopt the resolutions.

ITEM-331: Francis Parker School.

Matter of approving, conditionally approving, modifying or denying an application for a Conditional Use Permit amending conditional Use Permit No. 94-0207, a Planned Development Permit, a Site Development Permit (Environmentally Sensitive Lands), and a Sewer Easement Abandonment to accommodate an increase the number of students from 700 to 800, and phased modifications on the campus to include-demolition of approximately 35,000 sq. ft.; renovation of approximately 13,000 sq. ft.; and the addition of approximately 92,000 sq. ft. of new school facilities to include an increase in the maximum building height from 30-feet to 35-feet, on a 23-acre site addressed as 6501 Linda Vista Road, located easterly of Via Las Cumbers and westerly of North Rim Court, within the RM-1-1 (Residential-Multi Family) Zone. The property is legally described as Parcels 1 and 2 of Parcel Map No. 5465. (Linda Vista Community Plan Area. District 6.)
CITY MANAGER'S RECOMMENDATION: Adopt the resolutions.

=== **LEGISLATIVE SCHEDULE (Continued)** ===

Noticed Hearings, Discussion (Continued)

ITEM-332: Two actions related to Carmel Valley Public Facilities Financing Plan and Facilities Benefit Assessment, FY 2006. (Carmel Valley Community Area. District 1.)

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:

On 05/25/2005, LU&H voted 3-0 to approve the City Manager's recommendation.

ITEM-333: City Heights Square.

Matter of approving, conditionally approving, modifying, or denying an application for a PDP/NUP/CUP/SDP/EA for the demolition of existing structures, followed by the construction of a 204,967-square-foot mixed use development with deviations, consisting of 151 senior residential units, a medical clinic, parking, retail and office space in 3 buildings and a 5,432-square-foot recreational area, on a 2,857-acre site located in the 4300 block of University Avenue in the CT-2-3 and CU-2-3 Zones of the Central Urbanized Planned District, within the City Heights neighborhood of the Mid-City Communities Plan and the City Heights Redevelopment Project Area. The project site is bounded by 43rd Street, University Avenue, Polk Avenue and Fairmount Avenue. (City Heights Neighborhood of the Mid-City Communities Plan Area. District 3.)

CITY MANAGER'S RECOMMENDATION: Adopt the resolutions in Subitems A and C; and adopt the resolution in Subitem B to grant the permits.

ITEM-334: Edison, Ibarra, and Cherokee Point Elementary Schools – ROW Vacations. (Mid-Cities Community Planning Areas. Districts 3 and 7.)
CITY MANAGER'S RECOMMENDATION: Adopt the resolution.

=== **LEGISLATIVE SCHEDULE (Continued)** ===

Noticed Hearings, Discussion (Continued)

ITEM-335: Two actions related to Auburn Park Affordable Housing Project
Disposition and Development Agreement. (City Heights Community
Area. District 7.)
CITY MANAGER'S RECOMMENDATION: Adopt the resolutions.

Non-Docket Items

Adjournment in Honor of Appropriate Parties

Adjournment

=== EXPANDED CITY COUNCIL AGENDA ===

ADOPTION AGENDA, DISCUSSION, HEARINGS

NOTICED HEARINGS:

ITEM-330: Petco Headquarters.

Matter of approving, conditionally approving, modifying or denying an application for an Easement Vacation and Site Development Permit to abandon an existing easement and to construct a 394,670 square-foot four level parking garage and 189,700 square-foot office building for Petco Headquarters on an approximate 12.197 acre site located at 8925 Recho Road north of Carroll Road and east of Carroll Park Drive in the IL-2-1 Zone and the Airport Environs Overlay Zone within the Mira Mesa Community Plan Area.

(Mira Mesa Community Plan Area. District 5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2005-1297)

Adoption of a Resolution granting or denying that the water utility easement located within Petco Headquarters property, in the Mira Mesa Community Area, in connection with the site development permit, as more particularly described in the legal description marked as Exhibit "A," and shown on Drawing No. 20358-B, marked as Exhibit "B," and on file in the office of the City Clerk, which are by this reference incorporated herein and made a part hereof, is ordered vacated;

That the City Clerk shall cause a certified copy of this resolution, with attached exhibits, attested by him under seal, to be recorded in the office of the County Recorder.

Subitem-B: (R-2005-1296)

Adoption of a Resolution certifying that Mitigated Negative Declaration No. 47630, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.), as amended, and the State guidelines thereto (California Code of Regulations section 15000 et seq.), that the declaration reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by this Council in connection with the approval of an easement abandonment and site development permit for the Petco Headquarters Project.

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

ITEM-330: (Continued)

Subitem-B: (Continued)

That the City Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore, that the Mitigated Negative Declaration, a copy of which is on file in the office of the City Clerk and incorporated by reference, is approved;

That pursuant to California Public Resources Code section 21081.6, the City Council adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment, a copy of which is attached hereto, as Exhibit A, and incorporated herein by reference;

That the City Clerk is directed to file a Notice of Determination (NOD) with the Clerk of the Board of Supervisors for the County of San Diego regarding the above project.

OTHER RECOMMENDATIONS:

Planning Commission on May 26, 2005, voted 7-0 to approve; no opposition.

Ayes: Chase, Garcia, Ontai, Griswold, Otsuji, Schultz, and Steele.

The Mira Mesa Community Planning Group has recommended approval of this project.

CITY MANAGER SUPPORTING INFORMATION:

Petco Animal Supplies Incorporated, proposes to abandon an existing waterline easement and to construct a 394,670 square-foot four level parking garage and 189,700 square-foot six story office building for Petco Headquarters on a 12.197 acre site located at 8925 and 8945 Rehco Road in the IL-2-1 zone and the Airport Environs Overlay Zone (AEOZ) within the Mira Mesa Community Plan. The site is currently developed with two 2-story office buildings combining for a total of 91,692 square-feet. The proposed four level parking garage would provide parking along with surface lots for a total of 1,263 spaces. The office building would be six stories and would have a limestone veneer, reflective glass, beige stone, and tinted glass exterior. The project as proposed requires an Easement Vacation and a Site Development Permit for development within Environmentally Sensitive Lands.

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

ITEM-330: (Continued)

CITY MANAGER SUPPORTING INFORMATION: (Continued)

Planning Commission Recommendation: The Planning Commission considered this project on May 26, 2005, and voted 7-0 to recommend that the City Council adopt City Staff recommendations to approve the project as presented in the Planning Commission Report No. PC-05-153.

Community Planning Group Recommendation: On March 21, 2005, the Mira Mesa Community Planning Group voted unanimously to recommend approval of the project without conditions.

Water Quality Impact Statement: During construction, this project will comply with Best Management Practices (BMPs) through the preparation of a Storm Water Pollution Prevention Plan (SWPPP) in conjunction with the grading plans. The SWPPP will identify all BMPs to be implemented during the construction phase to reduce/eliminate discharges of pollutants into the adjacent natural areas. The post-construction BMPs detailed in the Water Quality Technical Report have been evaluated and accepted by the City Engineer. The property owners will be responsible for the long-term maintenance of all private drainage facilities.

FISCAL IMPACT:

All cost associated with the project are recovered from a deposit account provided by the applicant.

Ewell/Halbert/MV

LEGAL DESCRIPTION:

The site is located at 8945 Recho Road in the IL-2-1 zone, Airport Environs Overlay Zone within the Mira Mesa Community Plan, Council District 5 (APN 343-240-3400, Parcel 1 of PM No 15845 and Parcel 2 of PM No. 13275, in the City of San Diego, County of San Diego, State of California).

Staff: Michael VanBuskirk - (619) 446-5371

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

ITEM-331: Francis Parker School.

Matter of approving, conditionally approving, modifying or denying an application for a Conditional Use Permit amending conditional Use Permit No. 94-0207, a Planned Development Permit, a Site Development Permit (Environmentally Sensitive Lands), and a Sewer Easement Abandonment to accommodate an increase the number of students from 700 to 800, and phased modifications on the campus to include-demolition of approximately 35,000 sq. ft.; renovation of approximately 13,000 sq. ft.; and the addition of approximately 92,000 sq. ft. of new school facilities to include an increase in the maximum building height from 30-feet to 35-feet, on a 23-acre site addressed as 6501 Linda Vista Road, located easterly of Via Las Cumbers and westerly of North Rim Court, within the RM-1-1 (Residential-Multi Family) Zone. The property is legally described as Parcels 1 and 2 of Parcel Map No. 5465.

(Linda Vista Community Plan Area. District 6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2005-1226)

Adoption of a Resolution certifying that Mitigated Negative Declaration LDR No. 31079, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.), as amended, and the State guidelines thereto (California Code of Regulations section 15000 et seq.), that the declaration reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by this Council;

That the City Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore, that the Mitigated Negative Declaration, a copy of which is on file in the office of the City Clerk and incorporated by reference, is approved;

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

ITEM-331: (Continued)

Subitem-A: (Continued)

That pursuant to California Public Resources Code section 21081.6, the City Council adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment, a copy of which is attached hereto, as Exhibit A, and incorporated herein by reference;

That the City Clerk is directed to file a Notice of Determination with the Clerk of the Board of Supervisors for the County of San Diego regarding the above project.

Subitem-B: (R-2005-1225)

Adoption of a Resolution vacating that portion of Easement Abandonment No. 215168 located within the Linda Vista Community Plan area in connection with Conditional Use Permit No. 84874, Planned Development Permit No. 84875, and Site Development Permit No. 215276, as more particularly described in the legal description marked as Exhibit "A," and shown on Drawing No. 20359-B, marked as Exhibit "B," and on file in the Office of the City Clerk;

That the City of San Diego hereby reserves and excepts the right, from vacation and abandonment, easements, and rights of any public utility pursuant to any existing franchise or renewals thereof, at any time, or from time to time, to construct, maintain, operate, replace, remove, renew, and enlarge overhead or underground lines of pipe, conduits, cables, wires, poles, and other structures, equipment, and fixtures for the transportation and distribution of electrical or electronic energy and natural gas, and for incidental purposes including access to protect the property from all hazards in, upon, over and across the above described portions of streets to be vacated and abandoned;

That said easement abandonment is conditioned upon approval and issuance of Conditional Use Permit No. 84874, Planned Development Permit No. 84875, and Site Development Permit No. 125276. In the event this condition is not completed within two years following the adoption of this resolution, then this resolution shall become void and be of no further force or effect;

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

ITEM-331: (Continued)

Subitem-B: (Continued)

That the City Engineer shall advise the City Clerk of the completion of the aforementioned condition and the City Clerk shall cause a certified copy of this resolution, with attached exhibits, attested by him under seal, to be recorded in the office of the County Recorder;

That the City Clerk shall cause a certified copy of this resolution, with attached exhibits, attested under seal, to be recorded in the office of the County Recorder.

OTHER RECOMMENDATIONS:

Planning Commission on May 12, 2005, voted 6-0 to approve; no opposition.

Ayes: Garcia, Griswald, Otsuji, Chase, Ontai, Schultz
Not present: Steele

On January 24, 2005, the Linda Vista Community Planning Group voted 12-0-0 to recommend approval of the project subject to compliance with all City regulations.

CITY MANAGER SUPPORTING INFORMATION:

This is a request for: a Conditional Use Permit No. 84874, Amending and Superseding Conditional Use Permit No. 94-0207; Planned Development Permit No. 84875; Site Development Permit No. 215276; and Sewer Easement Abandonment No. 125168, to allow an increase in the number of students from 700 to 800; demolition and renovation of existing buildings and construction of an additional approximately 92,000 sq. ft. of new school facilities for a total of approximately 160,000 sq. ft.; height deviations to accommodate buildings and field lighting poles; setback deviations to accommodate surface parking spaces; development on a premises containing Environmentally Sensitive Lands (ESL) including steep slopes and sensitive biological resources; and the abandonment of an existing 10-foot wide sewer easement, on a 23-acre site addressed as 6501 Linda Vista Road, located east of Via Las Cumbres and west of North Rim Court. The site is zoned RM-1-1 (Residential, Mutli-Family) and designated for 'School' use within the Linda Vista Community Plan Area.

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

ITEM-331: (Continued)

FISCAL IMPACT:

All staff costs associated with processing of this project is recovered from a separate deposit provided and maintained by the Applicant.

Oppenheim/Halbert/WCT

LEGAL DESCRIPTION:

The site is located at 6501 Linda Vista Road, within the RM-1-1, Linda Vista Community Plan Area, and Council District 6, and is more particularly described as Parcel 1 of Parcel Map 5465.

Staff: Bill Tripp - (619) 446-5273

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

ITEM-332: Two actions related to Carmel Valley Public Facilities Financing Plan and Facilities Benefit Assessment, FY 2006.

(See City Manager Report CMR-05-116; Public Facilities Financing Plan and Facilities Benefit Assessment, Fiscal Year 2006 Draft. Carmel Valley Community Area. District 1.)

TODAY'S ACTIONS ARE:

Adopt the following resolutions:

Subitem-A: (R-2005-1232)

Designating two areas of benefit in Carmel Valley and the boundaries thereof, confirming the description of Public Facilities Projects, the Community Financing Plan and Capital Improvement Program with respect to Public Facilities Projects, the method for apportioning the costs of the Public Facilities Projects among the parcels within the two areas of benefit and the amount of the Facilities Benefit Assessments charged to each such parcel, the basis and methodology for assessing and levying discretionary automatic annual increases in Facilities Benefit Assessments, and proceeding thereto, and ordering of proposed Public Facilities Projects in the matter of Carmel Valley Public Facilities Benefit Assessment Area.

Subitem-B: (R-2005-1233)

Approving the Development Impact Fee (DIF) schedule for properties within Carmel Valley.

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:

On 05/25/2005, LU&H voted 3-0 to approve the City Manager's recommendation. (Councilmembers Peters, Atkins, and Frye voted yea. Councilmembers Young and Inzunza not present.)

Staff: Gary Hess – (619) 533-3678

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

ITEM-333: City Heights Square.

Matter of approving, conditionally approving, modifying, or denying an application for a PDP/NUP/CUP/SDP/EA for the demolition of existing structures, followed by the construction of a 204,967-square-foot mixed use development with deviations, consisting of 151 senior residential units, a medical clinic, parking, retail and office space in 3 buildings and a 5,432-square-foot recreational area, on a 2,857-acre site located in the 4300 block of University Avenue in the CT-2-3 and CU-2-3 Zones of the Central Urbanized Planned District, within the City Heights neighborhood of the Mid-City Communities Plan and the City Heights Redevelopment Project Area. The project site is bounded by 43rd Street, University Avenue, Polk Avenue and Fairmount Avenue.

(MND/MMRP/PDP No. 116927/NUP No. 116928/CUP No. 116929/SDP No. 228858/EA No. 116930/Project No. 40960. City Heights Neighborhood of the Mid-City Communities Plan Area. District 3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions in Subitems A and C; and adopt the resolution in Subitem B to grant the permits:

Subitem-A: (R-2005-)

Adoption of a Resolution certifying that Mitigated Negative Declaration Project No. 40960 has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.), as amended, and the State guidelines thereto (California Code of Regulations section 15000 et seq.), that the declaration reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by this Council in connection with the approval of a planned development permit, neighborhood use permit, conditional use permit, site development permit, and easement vacation for the City Heights Square project;

That the City Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore, that the Mitigated Negative Declaration is approved;

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

ITEM-333: (Continued)

Subitem-A: (Continued)

That pursuant to California Public Resources Code section 21081.6, the City Council adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment, a copy of which is attached hereto, as Exhibit A, and incorporated herein by reference;

That the City Clerk is directed to file a Notice of Determination (NOD) with the Clerk of the Board of Supervisors for the County of San Diego regarding the above project.

Subitem-B: (R-2005-)

Adoption of a Resolution granting or denying Planned Development Permit No. 116927, Neighborhood Use Permit No. 116928, Conditional Use Permit No. 116929, and Site Development Permit No. 228858, with appropriate findings to support Council action.

Subitem-C: (R-2005-)

Adoption of a Resolution vacating the sewer easement more particularly described in legal description "A1" and as shown on Drawing No. 20304-B attached hereto as Exhibit "B1"; the general utility easement more particularly described in legal description "A2" and as shown on Drawing No. 20305-B attached hereto as Exhibit "B2"; and the sewer and water easement more particularly described in legal description "A3" and as shown on Drawing No. 20306-1-B and 20306-2-B attached hereto as Exhibit "B3";

That the City Clerk shall then cause a certified copy of this resolution, with the legal descriptions "A1," "A2," and "A3" and Exhibits "B1," "B2," and "B3," attested by him under seal, to be recorded in the Office of the County Recorder.

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

ITEM-333: (Continued)

OTHER RECOMMENDATIONS:

Planning Commission will hear this item on June 23, 2005. The vote was not available when preparing this docket entry. The vote will be presented at the City Council hearing of this item.

The City Heights Area Planning Committee on 10/4/04 and 2/7/05, voted 10-3-1 and 7-2-0, respectively, to recommend approval of the project with conditions as presented in PC Report No. PC-05-201.

CITY MANAGER SUPPORTING INFORMATION:

The City Heights Square project proposes a Planned Development Permit, Neighborhood Use Permit, Conditional Use Permit, Site Development Permit and Easement Vacation to allow the demolition of existing structures and the construction of a mixed-use development consisting of 151 senior residential units, a medical clinic, retail, and office space in 3 buildings, parking, and a recreational area. The proposal would require deviations from some development regulations. Also proposed is the vacation of existing sewer, water and general utility easements. The site is within the City Heights Redevelopment Project Area. The City Heights neighborhood of the Mid-City Communities Plan and CHRP Master Project Plan specify this site for mixed use. Disposition and Development Agreements were approved by the City Council and Redevelopment Agency for this project on May 3, 2005. Mitigation, Monitoring and Reporting Program (MMRP) for this project were adopted by the City Council acting as the Redevelopment Agency on May 3, 2005. The MMRP was also adopted by the City Council. Orders of Possession were issued on June 8, 2005.

The City Heights Area Redevelopment Project Area Committee on 4/27/05, recommended approval of the project with no conditions as presented in PC Report No. PC-05-201.

WATER QUALITY IMPACT STATEMENT:

During construction, this project will comply with Best Management Practices (BMPs) via preparation of a Storm Water Pollution Prevention Plan (SWPPP) with grading plans. The SWPPP will identify all BMPs required during construction to reduce/eliminate discharges of pollutants. The post-construction BMPs detailed in the Water Quality Technical Report have been evaluated and accepted by the City Engineer. The property owners will be responsible for the long-term maintenance of all private drainage facilities.

Oppenheim/Halbert/MAS

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

ITEM-333: (Continued)

LEGAL DESCRIPTION:

The project site is located at 4300 University Avenue in the City Heights Community and is more particularly described as Lots 1 through 8, inclusive, and 25 through 28, inclusive in Block 46 of City Heights per Map thereof No. 1007, Lot 1 of Fairmount Commercial Tract, per Map No. 6740, Parcel 1 of Parcel Map No. 15205, together with the easterly 10 feet of the vacated unnamed alley adjacent to said lots 25 through 28.

Staff: Michelle Sokolowski – (619) 446-5278.

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

ITEM-334: Edison, Ibarra, and Cherokee Point Elementary Schools – ROW Vacations.

(Mid-Cities Community Planning Areas. Districts 3 and 7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2005-1268)

Vacating a portion of Polk Avenue between Wilson Avenue and 35th Street and a portion of the alley north of Polk Avenue; the portion of 49th Street between Orange and Polk Avenues and the alleys east and west of 49th Street; the alley between 38th and 39th Streets, portions of 38th and 39th Streets between Wightman and Landis Streets, and a portion of Landis Street east of 38th Street.

CITY MANAGER SUPPORTING INFORMATION:

Edison Elementary (Polk Avenue and alley north of Polk)

Edison Elementary School is currently located north of University Avenue, south of Polk Avenue, east of 35th Street and west of Wilson Avenue. The Rights-of-Way to be vacated consist of a portion of Polk Avenue and an alley north of Polk Avenue between 35th Street and Wilson Avenue to allow for the expansion of the school as part of the Prop MM Program. The City has determined that these public Rights-of-Way are no longer needed. Through alley access would be provided via an extension of the alley to 35th Street.

Ibarra Elementary (49th Street and alleys east and west of 49th Street)

Ibarra Elementary School is a new school to be located north of Polk Avenue and south of Orange Avenue, east of Estrella Avenue and west of Winona Avenue. The Rights-of-Way to be vacated consist of a portion of 49th Street between Orange and Polk Avenues, and the alleys east and west of 49th Street to allow for construction of the school as part of the Prop MM Program. The City has determined that these Rights-of-Way are no longer needed.

Cherokee Point Elementary (38th and 39th Streets, alley between 38th and 39th Streets and Landis, east of 38th Street)

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

ITEM-334: (Continued)

CITY MANAGER SUPPORTING INFORMATION: (Continued)

Cherokee Elementary School is a new school to be located north of Landis Street and south of Wightman Street, east of 38th Street and west of the alley between 40th and 39th Streets. The Rights-of-Way to be vacated consist of a portion of 38th and 39th Streets between Wightman and Landis Streets, the alley between 38th and 39th Streets and a portion of Landis Street east of 38th Street to allow for the construction of the school as part of Prop MM Program. The City has determined that these Rights-of-Way are no longer needed.

FISCAL IMPACT:

No cost to the City. A deposit has been collected from the applicant to cover the costs associated with processing the proposed projects.

NOTE: This project is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15061(b)(3).

Oppenheim/Halbert/MED

Staff: Morris Dye – (619) 446-5201.

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

ITEM-335: Two actions related to Auburn Park Affordable Housing Project Disposition and Development Agreement.

(See Redevelopment Agency Report RA-05-25/CMR-05-1436. City Heights Community Area. District 7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2005-1343)

Approving the Disposition and Development Agreement with Auburn Park Family Housing, L.L.C., for development of an affordable housing development in the City Heights Redevelopment Project Area, amending the City budget to accept the Agency transfer of \$150,000, for the sale of land and allocating the funds to the Capital Outlay Gas Tax Fund, authorizing the City Manager, or designee, to convey the land to the Redevelopment Agency for the Auburn Park Project, consenting to the Redevelopment Agency acquiring land and conveying land for the Project, and making certain findings relating thereto.

Subitem-B: (R-2005-1344)

Certifying the information contained in Mitigated Negative Declaration No. 43239 has been completed in compliance with the California Environmental Quality Act and State CEQA Guidelines and that said report reflects the independent judgment of the City of San Diego as Lead Agency;

Stating for the record that the Mitigated Negative Declaration has been reviewed and considered prior to approving the project and Disposition and Development Agreement;

Adopting the Mitigation, Monitoring and Reporting Program.

NOTE: See the Redevelopment Agency Agenda of 6/28/2005 for a companion item.

Staff: Bob Kennedy – (619) 533-4276
Rachel H. Witt – Deputy City Attorney

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT